

	<p>IDEM Permit Guide: Fugitive Dust</p> <p>www.IN.gov/idem/guides/permit/air/fugitivedust.html</p>
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What is Fugitive Dust?

Fugitive dust means “the generation of particulate matter to the extent that some portion of the material escapes beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located.” The state rules on fugitive dust, which apply to **all** sources of dust (particulate matter) are found in the Indiana Administrative Code under [326 IAC 6](#) (Indiana Administrative Code, Volume 6, Title 326, “Article 6. Particulate Rules,” Rules 4 and 5).

However, under [326 IAC 6-4-6](#), the following sources and activities are **not** considered in violation of the fugitive dust rules.

- (1) Release of steam not in combination with any other gaseous or particulate pollutants unless the condensation from said steam creates a nuisance or hazard in the surrounding community.
- (2) Fugitive dust from publicly maintained unpaved thoroughfares where no nuisance or health hazard is created by its usage or where it is demonstrated to the commissioner that no means are available to finance the necessary road improvements immediately. A reasonable long-range schedule for necessary road improvements must be submitted to support the commissioner's granting such an exception.
- (3) Fugitive dust from construction or demolition where every reasonable precaution has been taken in minimizing fugitive dust emissions.
- (4) Fugitive dust generated from agricultural operations providing every reasonable precaution is taken to minimize emissions and providing operations are terminated if a severe health hazard is generated because of prevailing meteorological conditions.
- (5) Visible plumes from a stack or chimney which provide adequate dispersion and are in compliance with other applicable rules.
- (6) Fugitive dust from a source caused by adverse meteorological conditions.

Regarding Multiple Sources of Fugitive Dust

A source, or multiple sources may be considered to be generating fugitive dust if the dust is visible crossing the property line of the source at or near ground level. More specific criteria which may be used to determine the generation of fugitive dust include:

- A source or combination of sources may generate fugitive dust concentrations of greater than 67-percent of the ambient up wind concentration, or fugitive dust comprised of more than 50-percent respirable dust, as determined by formulas detailed in 326 IAC 6-4-2 (1) and (2), or
- Ambient ground-level concentrations of dust exceed fifty (50) micrograms per cubic meter above the background concentrations for a period of sixty (60) minutes.

When multiple sources are contributing to a fugitive dust problem, each source that is individually out of compliance with the rule shall be held proportionately responsible to reduce the level of dust migrating off-site. However, no individual source which is in compliance shall be required to reduce its dust emissions unless a group of sources of which it is a part are all individually in compliance, but their combined fugitive dust emissions exceeds compliance levels. In such instances, all sources will be required to reduce their emissions by like percentages.

Again, please note; the fugitive dust rules apply to **all** sources not otherwise exempted by [326 IAC 6-4-6](#). That is, for purposes of enforcement, any non-exempt industry, business, residence, or other property can be considered a source of fugitive dust.

Specific Sources Required to Address Potential Fugitive Dust Emissions

In addition to all sources having to maintaining compliance with the fugitive dust rules, certain sources of potential fugitive dust emissions may be required to establish a fugitive emissions control plan to further ensure that compliance is maintained. According to [326 IAC 6-5-1](#), since December 13, 1985, any source with potential fugitive dust emissions of more than 25 TPY (tons per year) located in a non-attainment area for particulate matter, or any new source of potential fugitive dust emissions required to obtain an air construction permit (except those sources obtaining a Title V Air Operating Permit, which already must meet alternative fugitive dust requirements) may be required to establish a fugitive emissions control plan, or obtain an exemption from having such a plan, as part of their permit.

Under [326 IAC 6-5-4](#), such control plans may require control strategies to address fugitive dust emissions from; roads and parking lots; open aggregate (sand or gravel) piles; open bucket or belt conveyors of sand, gravel, coal, stone, grain, or similar materials; emissions generated by trucks or other vehicular handling equipment or from loading or unloading operations; material handling operations such as screening, grinding, crushing or mixing; or from activities involving solid waste disposal. In addition, fugitive dust emission control plans may be required to be updated with the renewal of an operating permit, or in conjunction with additional construction to modify a source.

Fugitive Dust Generated by Vehicles

Although dust generated from publicly maintained [unpaved thoroughfares](#) generally is exempt from fugitive dust rules, [326 IAC 6-4-4](#) states that dust generated either by the cargo of a vehicle, or by the mud tracked by the vehicle, may be considered to cause noncompliance with fugitive dust rules.

For Additional Information

For further information regarding fugitive dust, or to file a complaint about fugitive dust, please phone 1-800/451-6027 and ask for Air Compliance at extension 3-5674, contact the [nearest IDEM regional office](#), or view the statewide [Inspector Map](#) on the IDEM Website to contact the inspector for your county.

Disclaimer

This permit guide is intended to provide background information which should be useful in planning for a particular project that may require an environmental permit. It does not substitute for consultation with the appropriate regulatory agency and/or the appropriate rules or statute.